

RECORD OF PROCEEDINGS

MINUTES OF THE BOARD OF WATER COMMISSIONERS

Open Session

February 23, 2005

A duly called Regular Meeting of the Board of Water Commissioners was held Wednesday, February 23, 2005 beginning at 9:15 a.m. in the Cheesman Room of the Three Stone Buildings, 1600 West 12th Avenue, Denver, Colorado. Members of the Board present during the Regular Meeting were:

William R. Roberts, President¹
George B. Beardsley, First Vice President
Thomas A. Gougeon, Vice President
Richard A. Kirk, Vice President
Denise S. Maes, Vice President¹

Board employees and others present during portions of the Meeting were:

H. J. Barry, Manager
P. L. Wells, General Counsel
D. B. LaFrance, Director of Finance
E. E. Pokorney, Director of Planning
M. L. Bassett, Director of Public Affairs
B. D. Good, Director of Operations & Maintenance
J. L. Diebel, Director of Engineering
C. Elam-Floyd, Manager of Human Resources
S. Duncan, Intergovernmental Affairs Coordinator
K. Kempke, Manager of Treasury Operations
C. R. Dermody, Manager of Information Technology
M. L. Walker, Attorney
G. C. Fisher, Chief Planner
K. D. Kuykendoll, Manager of Rate Administration
M. D. Waage, Water Resource Engineer
L. Firth, Manager of Community Relations
K. K. Riegle, Attorney
T. L. McGuire-Collier, Manager of Media Relations

¹ Commissioner Maes and Roberts arrived during the study portion session of the meeting and did not participate in the deliberations regarding the action items.

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Dave Romero, Denver Parks and Recreation
Susan Fry, Denver Parks and Recreation
Deb Pilon, Willows Water District
Peter Loeffler, Douglas County Resident

Media

Jerd Smith, reporter, Rocky Mountain News
Kim McGuire, reporter, Douglas County Resident

Commissioner Beardsley called the meeting to order.

Upon motion regularly made, seconded and unanimously carried by the Commissioners then present, unless otherwise noted, the Board acted upon the following agenda items:

1. **ITEM V–E–1: PROJECT EMPLOYEE CONTRACT**

The following Project Employee Contract was approved:

Employee Name, ID# Title, Salary, Std Hrs.	Term of Contract	Estimated Salary Cost	Division/Section, Project
Christine Ringleb IT Senior Application Specialist \$7,262.00/Mo. – IT-08, Step 6 Full-Time Status, 40 Standard Hours	2 Years	\$87,144.00	Infor. Technology #160

2. **ITEM V–F–1: RESOLUTION OF LAWSUIT OVER CONSTRUCTION OF CONDUIT 301**

Approved payment to AISA of \$390,000 in full settlement of all claims outstanding in Case No. 2004CV2524, Denver District Court, AISA Civil, Inc. v. Denver Board of Water Commissioners and the City and County of Denver.

Ms. Wells explained that during construction of Conduit No. 301, the contractor encountered unanticipated soil conditions at an underground crossing near the intersection of Brighton Boulevard and York Street. The project has been completed, but the parties were unable to reach agreement regarding claims of additional costs. After the lawsuit was filed, the parties submitted the dispute to

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mediation. As a result of the mediation, the parties had reached the proposed settlement.

At 9:28 a.m., the Board voted unanimously to adjourn to a study session to discuss supply, drought, demand and conservation matters.

At 12:07 p.m., the Board voted unanimously to adjourn into Executive Session.

EXECUTIVE SESSION

On Wednesday, February 23, 2005, commencing approximately at 12:07 p.m. in the Cheesman Room of the Three Stone Buildings, the Board of Water Commissioners met in Executive Session. The following matters which are authorized by C.R.S. § 24-6-402 or D.R.M.C. § 2-34 were discussed during the Executive Session:

1. Attorney-Client Matters § 24-6-402(4)(b)
2. Negotiations § 24-6-402(4)(e)

There being nothing further for the Board to consider, the Executive Session concluded at approximately 12:27 p.m.

President

Secretary